

TESTIMONY OF RALPH H. BROWN
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PACIFIC FISHERY MANAGEMENT COUNCIL

ON THE
MAGNUSON-STEVENSON FISHERY CONSERVATION
AND MANAGEMENT ACT

BEFORE THE
SUBCOMMITTEE ON OCEANS AND FISHERIES
COMMITTEE ON OCEANS, SCIENCE AND TRANSPORTATION

SEATTLE, WASHINGTON
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Thank you for asking me to testify before this sub-committee. I am Ralph Brown of Brookings, Oregon. I grew up in the fishing business and currently own two trawlers that fish out of Southern Oregon. I am vice-president of Fishermen's Marketing Association (FMA), a trawl organization that has approximately 600 members living in Washington, Oregon and California.

I also serve on the Pacific Fishery Management Council (PFMC) in one of the At-large seats. I am currently in the middle of my second term in that position.

For this testimony, I am speaking only for myself and am not speaking for either the FMA or the PFMC

A discussion of management and management failures in this region has to focus on a discussion of the information that we use. A lack of, or in some cases, poor, information characterizes management of fisheries along this coast.

The Council and council staff worked very hard to upgrade our management plans to be in compliance with the new requirements of the Magnuson-Stevens Act. This was so time consuming that good ideas for improving management of our fisheries had to be deferred. We are just now getting to the point where we can move forward with new management ideas.

What was the result of all of this hard work? We are left with a description of Essential Fish Habitat that includes nearly all of the aquatic habitat from the top of the Rocky Mountains to the western edge of the EEZ. We simply didn't have the information to narrow the description any further. We are left with a requirement to minimize impacts on habitat by fishing gear; with no idea what those impacts are. We are left with a requirement to consider social and economic information but with no social or economic information to use. We are left with the requirement

to minimize by-catch without knowing how much by-catch is occurring or who is producing it. We are left with a requirement to end over-fishing on stocks for which we don't have the foggiest idea as to their condition, because we don't have the information to do assessments on the majority of the species listed in our management plan.

I have been an observer of this management council and the management process for a long time now, for two decades. I find the people involved to be sincere and dedicated to proper management of our fisheries. You will hear people saying that the state of our fisheries is bad because the council did not make hard decisions when they were needed in the past. This is not true. This council has never shied away from hard decision. As an example, this council adopted a limited entry plan back when limited entry was a controversial subject throughout the country. This council has never had an information base that was adequate to base decisions on.

The shortage of information is particularly acute with respect to stock assessments and harvest levels. Our assessments have bounced all over the place.

Our normal schedule is to assess the stocks that we assess every three years. Three years ago, harvest levels for sablefish were at 7,000 tons. The management team came to the Council with a recommendation to reduce harvests to 2,500 tons. They said it with a straight face. I argued successfully to delay the full cut and we reduced catches to 5,300 tons, with a promise to have a new assessment the following year, rather than on the normal three year schedule. This assessment occurred and the next year the management team recommended an Acceptable Biological Catch number of 9,692 tons. They said this with a straight face also.

Much of the management of our deep water fishery is driven by management of shortspine thornyheads. A paragraph from the Stock Assessment Review Panel Report of 1997 States "The thornyhead assessments are particularly short of data, but the management regime nonetheless requires a specific number based on a sophisticated reference point as a basis for the ABC. The assessment is unable to deliver that ABC estimate with certainty. This means there is a high probability that management will simply be unable to achieve the desired target."

We are going through an examination of our harvest policies right now. This is the fourth examination that I am aware of. The previous examinations have resulted in successively more restrictive harvest policies. I expect the next harvest policy to be more restrictive than the last. Overly lenient harvest policy has been given as the reason that we have overfished species. This may be true, but the council followed the advice of its scientists in each case.

At this point, the proper question to ask of our scientists is: Does anyone here have any idea of what is going on in the ocean?

I am critical of the science that has been used on this coast. I hope this is not viewed as criticism of the scientist here. All of the scientists here have done their best with the shortage of

information that they have to work with, but they also can't make a silk purse out of a sow's ear. We have to be given permission to admit that we have sow's ears and not be forced to continually pretend that they are silk purses

What happens today if we successfully argue that the science is flawed. National Marine Fishery Service recommends that greater uncertainty in the stock status be matched with greater precaution in harvest. If we successfully argue that the science is poor, then we have demonstrated a greater uncertainty and get larger cuts in harvest. It's like being involved with a protection racket: "If you argue with our science we'll cut you worse."

Most of the members of industry here think that the science that we base our decisions on is inadequate. We've tried to lobby for more research money and we've tried to work with National Marine Fishery Service to increase our understanding of our resources. We haven't gotten very far for a variety of reasons, and now the shortage of information threatens to destroy the industry.

I believe that we are not done with the cuts in harvest. National Marine Fishery Service has been sued by a coalition of environmental groups that claim that not enough protection has been given the unassessed stocks in this region. There is a reason that the stocks are unassessed. We simply don't know enough to do assessments on them.

National Marine Fishery service has guidance on dealing with stocks that can't be assessed. Their guidance is to reduce the catch on species like this by twenty-five to seventy-five percent. These species are all incidentally caught along with other targeted species. The only way to achieve a reduction in the unassessed species is to reduce the target catch by an equivalent amount.

In 1982, landings of groundfish, other than whiting, were 119,000 tons. According to the latest report, in 1999, landings were 36,000 tons, a reduction of seventy percent. There are people saying that that reduction is not enough.

If my fear of the future comes true, we will have reduced catches of groundfish, other than whiting, on this coast to 15,000 tons, or a reduction of nearly ninety percent, and there will still be people saying that that is not enough of a reduction due to the uncertainty of our assessment process.

I don't want a shortage of information to be an excuse for over fishing, but it is unacceptable that the only response allowed today to a shortage of information is to destroy an industry.

The council now has five species that are listed as overfished. We have rebuilding plans developed for three of them. The remaining two, canary rockfish and cowcod, were declared overfished this year, and rebuilding plans have not been developed for them yet.

The time required for rebuilding of these species has been projected to range from ten years for lingcod to nearly fifty years for Pacific Ocean Perch. Some of the model runs for Bocaccio Rockfish showed rebuilding not being finished for 300 years. When Canary Rockfish and Cowcod rebuilding plans are developed, the rebuilding period will be similar to that of Pacific Ocean Perch.

These rebuilding plans cannot be viewed as temporary and they can not be viewed as actions that will result in a stronger industry for anyone fishing today. We have made permanent changes in the industry and have entered a brave new world of fishery management.

This brave new world may work if the information needed to make it work is provided, but we don't have that information today and it will be many years after we start to collect the information before it will be sufficient to make wise management decisions.

What do we do for people involved in fisheries now? We have very nearly destroyed the industry. Continuation of this course of management will destroy the industry. The promise of a better life fifty or one hundred years from now is not sufficient.

Today we have many displaced workers and large amounts of displaced capacity. If we continue along our management path we will have larger numbers of displaced workers, and larger amounts of displaced fishing capacity. We have to deal with these as top priority.

Unless we address the capacity that is and will be displaced by these cuts in groundfish we will spread the impact of these cuts to all parts of the industry. Dealing with this displaced capacity must be a top priority for fishery managers in the very near future.

In closing, I do not have specific recommendations, today, for solutions to the problems that are facing us in management of fisheries along the west coast. I am working with other members of industry to develop recommendations and we look forward to working with you to solve these problems.

Priorities would be to improve the information base that we use to make management decisions and to provide for the people that we are displacing, and, finally, I would like to repeat that destroying an industry, as the only allowable response to uncertainty, is not acceptable.

Thank You